

## United States Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,593	11/20/2003	Chin I. Lan	FP9864	7207
52981 7	590 . 09/13/2005		EXAMINER	
LEONG C LEI SPITZER,			OBERT H	
PMB # 1008				
1867 YGNACI	O VALLEY ROAD		ART UNIT PAPER NUMBER	
WALNUT CREEK, CA 94598		1724		
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DATE MAILED: 09/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Tourne Action Summary    Tourne Action Summary	"	Application No.	Applicant(s)	<i>V</i> .	<u> 1</u>				
## Examiner   Robert H. Spitzer   1724    ## Total MAILING DATE of this communication appears on the cover sheet with the correspondence address  ## Period for Reply  ## A SHONTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  ## BETWEEN IT IS TO THE MAILING DATE OF THIS COMMUNICATION    ## SURPLINED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  ## TO PROVE THE MAILING DATE OF THIS COMMUNICATION    ## Provided to many transmission of the remains of the convenue of 17 CFR 1.136(a). In an event, however, may a reply be timely intended the source of 17 CFR 1.136(b). In an event, however, may a reply be timely filled on the state of the source of 17 CFR 1.136(b). In a several former, may a reply be timely filled on the source place term application to the source of 18 CFR 1.734(b).  ### STATUTORY OF THE MAILING DATE OF THIS COMMUNICATION    ### TO PROVIDE THE MAILING DATE OF THIS COMMUNICATION    ### TO PROVIDE THE MAILING DATE OF THIS COMMUNICATION    ### TO PROVIDE THE MAILING DATE OF THIS COMMUNICATION    ### TO PROVIDE THIS COMMUNICATION    ### TO PROVIDE THE MAILING DATE OF THIS COMMUNICATION    ### TO PROVIDE THIS COMMUNICATION    ###									
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THE MAILING DATE OF THIS COMMUNICATION.  Editions of the may be existed under the provisions of 3 CFR 1.15(d), in no event, however, may a reply be timely filled after SIX (i) MONITS from the mailing date of this communication. It is set to the provision of the communication of the	Period for Reply	ppears on the cover sheet with the t	correspondence au	uress					
1) Responsive to communication(s) filed on	THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any								
2a)  This action is FINAL. 2b) This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s)	Status								
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3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date  1S. Patent and Trademark Office									
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Application/Control Number: 10/716,593 Page 2

Art Unit: 1724

## **DETAILED ACTION**

1. The drawing figures are objected to because on Fig. 5, there is no number "22" thereon, as described on page 7, line 4.

- The following is a quotation of the second paragraph of 35 U.S.C. 112:
   The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 3. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 is indefinite because there is no direct antecedent basis for the following recitations: "the top portion" in line 3; "the side" in line 4, "the bottom section" in line 6; "the bottom fume passage inlet" in line 7; "the inclined board" in line 9; "the oil suction framework" in line 10; "the top end" and "the top portion" in line 11; "the side wall" in line 14; and, "the inner side" in line 16. Claims 2-5 are indefinite because they depend from indefinite claim 1.
- 4. Claims 1-5 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
- 5. The references listed on the PTO-892 show art of interest only, over which the claims define allowable subject matter.
- 6. Applicants' response to this Office action should also include the following editorial changes: page 8, line 6, "position" should be "positioned"; and, on page 9, line 1, "when" should be inserted after "even".
- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert H. Spitzer whose telephone number is (571)

Application/Control Number: 10/716,593

Art Unit: 1724 .

Page 3

272-1167. The examiner can normally be reached on Monday-Thursday from (5:30AM-4:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

August 23, 2005

Robert H. Spitzer Primary Examiner Art Unit 1724

August 23, 2005